

SENATE JOURNAL  
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SB 384

Hello. My name is Beth Jaffe. I live in Missoula. I am here to say please vote for due passage on SB384.

I am the Montana State Representative for the American Adoption Congress, the AAC. This organization promotes awareness and support for all whose lives are touched by loss of family continuity through adoption. AAC is the national leader in positive legislation reform throughout the United States. The AAC has worked closely with me in supporting this bill.

Additionally, I am a member of the board of directors for the only national organization solely focused on birth parent issues, Concerned United Birthparents or CUB. Essentially it is my job to help people publish their adoption related stories in the national newsletter. I know birth parents, their issues and their stories. As you can see from the quoted policy statement, CUB supports this bill.

Under current law all adults adopted from 7/1/67 through 9/30/97 regardless of whether the adoption was closed or open, must obtain a court order before they can have a certified copy of their own birth certificate. I have yet to meet someone who was granted a court order they requested without outside assistance. And when their requests are turned down, people tell me they don't have an appeals process or the opportunity to make a second request at a later date.

SB384 eliminates the court order requirement.

To stay with current law is an unnecessary hardship on people struggling to piece together their chapter one. Nobody starts their life story at chapter two, unless they were adopted. Birth certificates can be the only link a person has to their genetic medical history, their cultural heritage, and knowledge of their natural identity. The birth certificate is the key to a person's chapter one. It is their private information and they deserve access to it.

Kansas and Alaska never held such a policy so they never had to change this kind of law. Both states have always maintained lower abortion rates than the national average and higher adoption rates than the national average since the start of tracking these kind of statistics. In the many states that have passed legislation like this over the last three decades, there have been no lawsuits. Not a single one.

However, there is currently a lawsuit against the state of NY for maintaining the sealed record policy. This lawsuit came about because an adopted man was denied renewal of his commercial driver's license based on Homeland Security regulations. Under these regulations some US Citizens are being denied passports too. People need their original birth certificate and not just their adoption papers.

This is a reasonable bill that impacts a small number of people. However, the impact is profound and meaningful and if this bill passes, it will bring deep joy to people's lives. My role as state representative with the AAC has me working with the national and international experts on adoption and in fact I will be leading several workshops at the 32<sup>nd</sup> International Adoption Conference next month in Cleveland, OH. As the person who represents Montana on the national level in this arena, I am more than happy to answer your questions today. I thank you for your time and I end with one more request to please vote due passage of SB384.

## SB384 Resources and etc.

Truth Heals Website

<https://sites.google.com/site/mtadoption/home>

**Kansas and Alaska never sealed birth certificates. Both states have higher adoption rates than the national average and both states have lower abortion rates than the national average.**

[http://www.americanadoptioncongress.org/reform\\_adoption\\_data.php](http://www.americanadoptioncongress.org/reform_adoption_data.php)

Organizations that support SB384

All adopted adults have the right to know their original identities and their medical and ancestral histories. In addition, they have the right to associate freely with others, including biological relatives, without government restriction. - AAC Position Statements, Adult Adoptee Rights Statement.

<http://www.americanadoptioncongress.org/>



CUB supports the unrestricted access of adopted people to their original birth records. Access to the truth about one's identity and origins is a fundamental human right. - CUB Policy Statements.  
[http://www.cubirthparents.org/open\\_records.php](http://www.cubirthparents.org/open_records.php)

EVAN B. DONALDSON

# adoptioninstitute

- **Bottom line: restoring access to OBCs [original birth certificates] is not just about curiosity, search, reunion or medical information; it's a matter of human dignity, civil rights and social justice.**

[http://www.adoptioninstitute.org/events/2011\\_03HardRock.php](http://www.adoptioninstitute.org/events/2011_03HardRock.php) – power point presentation





**AMERICAN  
ADOPTION  
CONGRESS**

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